

BEFORE  
THE PUBLIC SERVICE COMMISSION OF  
SOUTH CAROLINA  
DOCKET NO. 1999-304-C - ORDER NO. 2004-364

AUGUST 5, 2004

IN RE:	Application of CAT Communications	)	ORDER GRANTING
	International, Inc. for a Certificate of Public	)	FLEXIBLE
	Convenience and Necessity to Provide Resold	)	REGULATION
	Local Exchange and Long Distance	)	
	Interexchange Telecommunications Services	)	
	within the State of South Carolina.	)	

This matter comes before the Public Service Commission of South Carolina (the Commission) on the Application of CAT Communications International, Inc. (CCI or the Company) for approval of flexible regulation of its local exchange services. A review of the record reveals that CCI was granted a Certificate of Public Convenience and Necessity (Certificate of PC&N) to provide local exchange and interexchange telecommunications services within the State of South Carolina by Commission Order No. 1999-748, dated October 25, 1999. Thereafter, by Order No. 2002-713, dated October 3, 2002, the Commission approved an amendment of CCI's Certificate of PC&N to reflect that CCI has authority to use the unbundled network elements platform (UNE-P) to provide telecommunications services in South Carolina.

Upon the Commission's receipt of CCI's Application for flexible regulation of the Company's local exchange services and pursuant to the instructions of the Commission's Executive Director, the matter was published in the Commission's subscription service.

No Protests or Petitions to Intervene were received. We will therefore proceed to dispose of the matter summarily.

By its Application, CCI requests that the Commission regulate its local telecommunications services in accordance with the principles and procedures established for flexible regulation by Commission Order No. 98-165 in Docket No. 97-467-C.<sup>1</sup> Further, CCI requests that the Commission adopt a rate structure that incorporates maximum rate levels for its local exchange service offerings while providing the flexibility to make adjustments below the maximum rate levels in keeping with the procedures established for flexible regulation in Order No. 98-165 in Docket No. 97-467-C.

CCI specifically requests that its local exchange tariff filings be presumed valid upon filing, subject to the Commission's right within thirty (30) days to institute an investigation of the tariff filing, in which case such tariff filings would be suspended pending further order of the Commission. CCI also requests that any tariff filings will be subject to the same monitoring process as similarly situated competitive local exchange carriers.

Flexible regulation of local exchange services has been frequently approved by this Commission to promote competition in the telecommunications industry in South Carolina. We find that flexible regulation will continue to promote competition in the telecommunications industry in South Carolina. Accordingly, we approve CCI's request for flexible regulation.

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<sup>1</sup> By Order No. 98-165 issued March 5, 1998, in Docket No. 97-467-C, the principles and procedures for flexible regulation were established and first granted to NewSouth Communications, LLC.

IT IS THEREFORE ORDERED:

1. That CAT Communications International, Inc.'s local telecommunications services shall be regulated in accordance with the principles and procedures established for flexible regulation first granted to NewSouth Communications by Order No. 98-165 in Docket No. 97-467-C. Specifically, the Commission adopts for CCI, Inc.'s competitive intrastate local exchange services a rate structure incorporating maximum rate levels with the flexibility for adjustment below the maximum rate levels that will have been previously approved by the Commission.

2. That CAT Communications International, Inc.'s local exchange service tariff filings are presumed valid upon filing, subject to the Commission's right within thirty (30) days to institute an investigation of the tariff filing, in which case the tariff filing would be suspended pending further Order of the Commission. Further, any such tariff filings will be subject to the same monitoring process as similarly situated competitive local exchange carriers.

3. This Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:

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/s/  
Randy Mitchell, Chairman

ATTEST:

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/s/  
G. O'Neal Hamilton, Vice Chairman  
(SEAL)